

07 Civ. 8813 (RWS)

**DECLARATION OF
K. MURALITHERAPANY IN OPPOSITION TO DEFENDANT'S MOTION TO
VACATE
MARITIME ATTACHMENT**

Exhibit 2

Yvonne Kwek

From: Murali Pany [murali@jtjb.com]
Sent: Monday, February 04, 2008 10:13 PM
To: 'Carol Mulcahy'
Cc: 'Yvonne Kwek'; law@chauncy.co.uk; 'Nicole Mak'; 'Michael Polonsky'
Subject: RE: AIL v EPT

Dear Ms Mulcahy,

Thank you for your reply.

On AILs' request for audit, with respect, we disagree that it is necessary to defer this point until after the issue of the proposed joinder of PSL has been settled.

On the contrary, this point can be resolved now and doing so would only assist and expedite the proceedings.

We note EP-Team's position that it has no books or records relating to the business. Based on this, EP-Team must be saying that such books and records are in the hands of PSL. Indeed, Mr Polonsky stated that the telephone conference on 28 January 2008 that the books and records are the books and records of PSL.

AIL is of the view that PSL is entirely controlled by EP-Team. In any event, PSL has asserted that it is a party to the Agreement.

Therefore, on behalf of AIL, we hereby give notice that AIL wishes to exercise its absolute right under the Agreement to audit the books and records relating to the Agreement whether in the hands of EP-Team or PSL.

Please make the books and records available for audit by 15 February 2008.

This notice is given without prejudice to AIL's expressed position regarding PSL.

Regards,

K. Murali Pany

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